

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

IN RE:  
**Ernest William Vidal, III**  
**Margarita Jimenez Vidal**

CASENO: 16-51560 G

Debtors

**TRUSTEE'S OBJECTION TO CONFIRMATION OF  
DEBTORS' CHAPTER 13 PLAN**

NOW COMES, Mary K. Viegelahn, Chapter 13 Trustee in the above captioned case, and files this Objection to Confirmation of Debtors' Chapter 13 Plan. In support thereof, the Trustee would show the Court the following:

1. On July 07, 2016, the above named Debtors filed a voluntary petition for relief under Chapter 13 of the Bankruptcy Code in the United States Bankruptcy Court for the Western District of Texas, San Antonio Division.
2. The Chapter 13 meeting of creditors pursuant to 11 U.S.C. § 341(a) ("341 meeting") was concluded on **August 03, 2016**.
3. Schedule B lists personal property described as "postal service retirement account" with an unknown value. The Trustee requests the Debtors amend Schedule B to include the fair market value as the amount of the retirement account is ascertainable. Further, Schedule I includes income of \$2,957.24 for federal employee's compensation; however, based upon the documentation provided, the Debtor's gross income is \$3,278.00 with deduction of \$381.00. The Trustee questions if the deduction is for medical insurance and/or federal tax withholdings and requests clarification as to the deduction. The Trustee questions if the compensation is subject to taxation as the Debtor's testimony at the 341 meeting of creditors was that he is not withholding any funds for payment of taxes.
4. The Trustee cannot recommend Confirmation for all the reasons stated above and reserves her right to amend her objection to Confirmation.

**WHEREFORE, PREMISES CONSIDERED**, the Trustee requests that, the Court deny confirmation of the Debtor(s)' Chapter 13 plan as it fails to meet the requirements set forth in 11 U.S.C. §§ 1325(a)(1), (a)(3) and 521(a)(1), (a)(3), dismiss Debtor(s)' Chapter 13 case; and for such other relief as the Court find just and equitable.

Date: August 15, 2016

/S/

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UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

IN RE: CHAPTER 13

**Ernest William Vidal, III  
Margarita Jimenez Vidal**

DEBTOR(S) CASE NO.: **16-51560 G**

**CERTIFICATE OF SERVICE**

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I hereby certify that a true and correct copy of the attached document was served on **August 16, 2016** by First Class Mail, upon the following:

Debtor(s):

Ernest William Vidal, III  
Margarita Jimenez Vidal  
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/S/

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